

**REAL ESTATE APPRAISERS BOARD  
MINUTES  
MADISON, WISCONSIN  
JUNE 28, 2000**

**PRESENT:** Patrick Buckett, Gary Cuskey, LaMarr Franklin, and Lill Hauschild

**EXCUSED:** Paul "Rick" Vozar and Mary Reavey

**STAFF PRESENT:** Alfred Hall, Jr., Jan Neitzel and Ruby Jefferson-Moore, Legal Counsel

**CALL TO ORDER**

The meeting was called to order at 9:48 a.m. by Lamarr Franklin, Vice-Chair, upon confirmation that the public notice was timely given. A quorum of 4 members was present.

**AGENDA**

Several items were added to the agenda.

Item 14cii and ciii were moved from Closed Session to Open Session under item 17.  
A stipulation and final decision and order for James and Donald Boneham was added in closed session as item 14cii.

**MOTION:** Patrick Buckett moved, seconded by Lill Hauschild, to adopt the agenda as amended. Motion carried unanimously.

**MINUTES (4/26/00)**

**MOTION:** Gary Cuskey moved, seconded by Patrick Buckett, to approve the minutes as written. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

**Deputy Secretary Conway's Report**

- **Board Member Workshop July 13-14, 2000**

Deputy Secretary Conway was not available.

Alfred Hall informed the Section that the first day of the Board Member Workshop would be focused on the training of new Board members and the second day would be geared toward issues related to ethics, practice using electronic media transmission, the regulatory process, reciprocity, and the media. He informed the Section that an agenda has been sent to all Board members. Attendance was highly recommended.

Patrick Buckett and Lamarr Franklin stated they may be able to attend.

- **Preparation for Appraisal Subcommittee Audit**

Audit Report, 12/17/97

The Board received a copy of the December 17, 1997, Audit Report. Noted.

DRL Response to Report, 2/13/98

The Board received a copy of the February 13, 1998, letter from Patricia McCormack, responding to the December 17, 1997, Audit Report.

The Board discussed the reciprocity agreement with Illinois and not being able to secure an agreement with Minnesota. The Board encouraged the Department to continue pursuing an agreement with Minnesota.

**Bureau Director's Report**

- **Board Roster/Meeting Dates**

The Board received a copy of the April 2000 roster. Noted

Lill Hauschild stated that she will not be able to attend the August 23, 2000, meeting.

The Board received a copy of the February 23, 2000, list of meeting dates. Noted.

- **Regulatory Digest**

Alfred Hall indicated that Board member input is needed on an on-going basis. Information for the next issue of the Regulatory Digest will include information on the proposed administrative rules web page information and continuing education.

The Board agreed that information relating to the Appraiser Standards Board and the questions and answer section of the USPAP should be included in the Regulatory Digest

**LEGISLATIVE ISSUES**

None.

**ADMINISTRATIVE RULES**

**9:45 A.M. PUBLIC HEARING: Proposed Rules Relating to the 2000 Edition of the Uniform Standards of Professional Appraisal Practice (USPAP)**

A hearing was held regarding the proposed administrative rules relating to the 2000 Edition of the Uniform Standards of Professional Appraisal Practice (USPAP). There were no public appearances to present testimony or written comments in support of or opposition to the rule.

Written comments will be considered until June 30, 2000. The Board discussed the importance of keeping the proposed administrative rules moving and determined that if there was no adverse comment, to delegate approval of the report to the legislature to one board member on it's behalf.

**MOTION:** Lill Hauschild moved, seconded by Gary Cuskey, to delegate final approval of the legislative report on behalf on the board to Patrick Buckett, as prescribed by s. 458.05 (05) Stats. Motion carried unanimously.

The Board discussed the importance of including the 2001 USPAP revisions in the Administrative Rules as soon as possible. A proposed scope statement for incorporating the revisions will be discussed at the August 23, 2000, meeting.

### **BOARD MEMBER ACTIVITY**

Nothing to report.

### **APPRAISAL SUBCOMMITTEE**

#### **Site Visit October 18, 2000 Update**

Alfred Hall reported that the Appraisal Subcommittee auditors will arrive around October 16, 2000, to review the application records, as well as complaints filed since their last visit and will meet with the Board to review the findings on October 18, 2000.

#### **Request for Comments Policy Proposals, 4/28/00**

The Board received a copy of the April 28, 2000, memo from Ben Henson, Executive Director, relating to the proposed revisions to ASC Policy Statement.

The Board discussed several options to assist in investigating complaints submitted to the Department. The Board agreed that the present Board members who are Real Estate Appraisers will hold screening sessions monthly, either in person the day before the Board meeting or by teleconference when there is no Board meeting scheduled.

The Board agreed that the one-year target date for the complaint process is within reason, for a simple informal complaint. However, it would require at least 18 months to process a formal complaint. A formal complaint would have documentation explaining special circumstances that require the process to take over a year to resolve the complaint.

### **APPRAISAL FOUNDATION**

#### **Appraisal Standards Board – Exposure Draft Proposed Changes to the 2000 Edition of the Uniform Standards of Professional Appraisal Practice USPAP and Advisory Opinions, 5/4/00**

The Board discussed the proposed USPAP exposure draft changes.

## **Appraisal Qualifications Board**

- **Exposure Drafts 5/10/00**

### New Interpretations of the Education Criteria and Interpretations of *The Real Property Appraiser Qualifications Criteria and Interpretations of the Criteria*

The Board discussed the positive and negative aspects of the proposed changes in the Exposure Draft related to qualifying and continuing education requirements for all appraisers.

The Board agreed that requiring appraisers to successfully complete seven hours of a national USPAP Update Course is reasonable and that the Board's administrative rules would have to be revised from four to seven hours.

### USPAP Instructor Minimum Competency

The Board discussed the positive and negative aspects of the proposed minimum competency standards for USPAP instructors and found them reasonable.

### Proposed USPAP Instructor Certification Policy

The Board discussed the positive and negative aspects of the proposed certification policy and agreed on the following:

That the at least 5-years experience teaching USPAP courses requirement, while logical, would make it difficult to gain new instructors in a short period of time. The Board agreed that the 5-year experience requirement could be eliminated if all teachers are required to be AQB certified.

### USPAP Instructor Certification – Terminology Review

Nothing to report.

- **USPAP Q & A – April and May 2000**

Noted.

- **Appraiser Examination Interpretation, 4/28/00**

Ruby Jefferson-Moore stated that RL 8.08 (01), Wis. Admin. Code, states that when applying to take the appraiser examination, any information that is not submitted within 1 year of the initial application date, may be cause for denial of a license, and the applicant will need to re-apply.

## **ASSOCIATION OF APPRAISER REGULATORY OFFICIALS**

### **May 10, 2000, Exposure Draft From Arlen C. Mills, Chair of the AQB**

The Board received a copy of the June 8, 2000, letter from Sherry Bren, South Dakota Appraiser Certification Program, relating to the May 10, 2000, Exposure Draft. Noted.

The Board discussed the questions relating to the Appraiser Certification Program from Sherry Bren, South Dakota Appraiser Certification Program, and agreed to the following:

- Yes to support the proposed national training and examination for USPAP instructors.
- Yes to support the national USPAP course or the equivalent being the only approved course.
- Yes to support the USPAP update being required once every two years.

#### **Commentary on Exposure Draft Relevant to USPAP Standards 4 & 5**

The Board received a copy of the April 14, 2000, letter from Linda Riddell relating to the commentary on the exposure draft relevant to USPAP standard 4 & 5. Noted.

#### **PRACTICE ISSUES**

None.

#### **CORRESPONDENCE**

None.

#### **NEW BUSINESS**

None.

#### **RECESS TO CLOSED SESSION**

**MOTION:** Gary Cuskey moved, seconded by Lill Hauschild, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(b) and (f), Wis. Stats.: to consider the licensing or discipline of a person licensed by the Department or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, monitoring reports, deliberations on stipulations that may be signed after printing of the agenda, pending applications, and disciplinary proceedings. Motion carried by a roll call vote: LaMarr Franklin-yes; Patrick Buckett-yes; Gary Cuskey-yes; and Lill Hauschild-yes.

Closed Session convened at 12:24 p.m.

The Board deliberated on case status reports, a monitoring report, disciplinary matters, affidavit of costs and final decision and orders.

#### **RECONVENE IN OPEN SESSION**

**MOTION:** Gary Cuskey moved, seconded by Patrick Buckett, to reconvene in open session at 1:02 P.M.

## **VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

### **MONITORING REPORT**

**MOTION:** Gary Cuskey moved, seconded by Patrick Buckett, to grant Robert Counsell the requested extension of time, until December 31, 2000, to complete the ordered education. Motion carried unanimously.

The Board members stated that Illinois and Minnesota also offer continuing education courses for real estate appraiser instructors.

### **FINAL DECISION AND ORDER**

**MOTION:** Gary Cuskey moved, seconded by Patrick Buckett, to accept the Final Decision and Order relating to 94 APP 009, John F. Roche. Motion carried unanimously.

**MOTION:** Gary Cuskey moved, seconded by Patrick Buckett, to accept the Final Decision and Order relating to 98 APP 049, James R. Boneham and Donald R. Boneham, pending receipt of the original stipulation. Motion carried unanimously.

### **SUCH OTHER ITEMS AS AUTHORIZED BY LAW**

**MOTION:** Gary Cuskey moved, seconded by Patrick Buckett, to accept the Order Fixing Costs relating to LS 9909291 APP, Michael A. Schneider. Motion carried unanimously.

**MOTION:** Gary Cuskey moved, seconded by Patrick Buckett, to accept the Order Fixing Costs relating to LS 9910201 APP, Thomas J. Younk. Motion carried unanimously.

### **ADJOURNMENT**

**MOTION:** Gary Cuskey moved, seconded by Patrick Buckett, to adjourn the meeting at 1:10 P.M. Motion carried unanimously.

Next Meeting: August 23, 2000